



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 18-125
Sketch Plan No. 320180170
4915 Auburn Avenue
Date of Hearing: November 29, 2018

DEC 13 2018

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on May 7, 2018, Auburn Building Associates, LP ("Applicant") filed an application for approval of a sketch plan for a mixed-use project of up to 204,728 total square feet, including up to 180 dwelling units and up to 12,500 square feet of non-residential uses on 0.72 acres of CR 3.0 C 3.0 R 2.75 H110 zoned-land, located on Auburn Avenue, west of Norfolk Avenue ("Subject Property") in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320180170, "4915 Auburn Avenue" ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 16, 2018, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on November 29, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320180170, "4915 Auburn Avenue," for construction of up to 204,728 total square feet, including up to 180 dwelling units and up to 12,500 square feet of

Approved as to
Legal Sufficiency:

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non-residential uses on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum density of 204,728 square feet of total development, including an allocation of up to 80,008 square feet of Bethesda Overlay Zone density, and up to 29,728 square feet of MPDUs not included in the Project's FAR, on the Subject Property. The maximum number of dwelling units and non-residential uses will be determined at Preliminary Plan.

2. Height

The development is limited to a maximum height of 122 feet due to the provision of MPDUs above 17.5%, as specified in Section 59.4.9.2.3.b of the Zoning Ordinance. The Project's maximum height will be determined at the time of Site Plan but will not exceed 122 feet, as measured from the building height measuring point.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Connectivity and Mobility, achieved through minimum parking and a through-block connection;
- b. Diversity of Uses and Activities, achieved through affordable housing;

¹ For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

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- c. Quality of Building and Site Design, achieved through exceptional design, structured parking, and public open space; and
- d. Protection of the Natural Environment, achieved through the purchase of building lot terminations, cool roof, and energy conservation and generation.

4. Building Design

The Applicant must submit their architectural design concept to the Design Advisory Panel concurrent with submittal of the Site Plan application.

5. Park Impact Payment (PIP)

At the time of Site Plan, the Applicant must identify the final amount of BOZ density being purchased and allocated to the Subject Property, along with the associated PIP.

6. Streetscape

The Applicant must install improvements effectuating the Bethesda Streetscape Standard along the Subject Property's right-of-way frontages on both Norfolk Avenue and Auburn Avenue, including the undergrounding of utilities on Auburn Avenue. Any future expansion of the Project limits on Norfolk Avenue would necessitate undergrounding of utilities on that street.

7. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

8. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 17.7%, of the total new units, as Moderately Priced Dwelling Units on-site. The development must provide MPDUs in accordance with Chapter 25A.

9. Future Coordination for Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed when filing a Site Plan application:

- a. Fire and Rescue access and facility details;
- b. Provide details and cross sections showing appropriate soil volumes associated with the new plantings on site per the Sector Plan;
- c. Identify and address all existing/potential utility conflicts or other site limitations with street trees to achieve the proposed streetscape plantings;
- d. Address the Bethesda Downtown Plan recommendations and design guidelines regarding stormwater management;
- e. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;

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- f. Demonstrate conformance with the Sector Plan goals for green cover;
- g. Participate in the implementation of the Norfolk Avenue shared street project;
- h. Tree save plan which addresses the following items:
 - a) Provisions for an ISA certified arborist who is also a MD licensed tree care expert to supervise the work along/within the storm drain easement;
 - b) Special measures such as incremental cut and cover of the pipe work to minimize the duration of any roots exposed to the air and sunlight;
 - c) 5-year maintenance & monitoring program for the affected trees;
 - d) Provisions for replacement plantings;
 - e) Accurately locate the existing trees and other plan elements; and
 - f) Note that all work/techniques within the storm drain easement is subject to coordination/approval from MCDOT (the grantee of the easement).
- i. Streetscape details, including but not limited to street tree locations on Auburn Avenue & Norfolk Avenue;
- j. Design of party wall along the northeast façade of the mixed-use building;
- k. Address compatibility with existing single-family homes to the west of the Subject Property;
- l. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features; and
- m. Address Bird-Safe Design per pages 80-81 of Bethesda Downtown Sector Plan Design Guidelines.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 0.72 acres zoned CR 3.0 C 3.0 R 2.75 H110. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

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Table 1: Sketch Plan Data Table

Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Proposed
	Gross Tract Area CR 3.0 C 3.0 R 2.75 H110 Total Site Lot 1 Lot 2	n/a	31,664 sf (0.72 ac) 5,851 sf (0.13 ac) 25,813 sf (0.59 ac)
	Prior Dedication Proposed Dedication Site Area Lot 1 Lot 2	n/a	3,755 sf (0.086 ac) 254 sf (0.006 ac) 27,655 sf (0.63 ac) 5,851 sf (0.13 ac) 21,804 sf (0.50 ac)
	Residential Density (GFA/ FAR) CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 1 Dwelling Units Maximum Lot 2 Square Footage Maximum Lot 2 Dwelling Units	87,076 sf (2.75) 16,090 sf n/a 70,985 sf n/a	192,228 sf (6.07 Total Tract FAR incl. MPDUs)¹ 162,500 sf (5.13 Total Tract FAR)² 4,000 sf (0.68 Lot 1 FAR) ³ 0 Dwelling Units 192,228 sf (7.44 Lot 2 FAR incl. MPDUs) 162,500 sf (6.29 Lot 2 FAR) ² 180 Dwelling Units (including 32 MPDUs)
	Exempt MPDU Density	15%	17.7% or 29,728 sf ¹ (0.94) 32 Dwelling Units
	Commercial Density (GFA/ FAR) CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 2 Square Footage	94,992 sf (3.0) 17,553 sf 77,439 sf	12,500 (0.39 Total Tract FAR)¹ 4,000 sf (0.68 Lot 1 FAR) 10,500 sf (0.40 Lot 2 FAR)
	Bethesda Overlay Zone Density	n/a	80,008 sf (2.52)
	Total Maximum GFA/ FAR	94,992 sf (3.0)	204,728 sf (6.46 incl. MPDUs) ¹ 175,000 sf (5.52)²
	Building Height (max) Maximum Lot 1 Maximum Lot 2	110 feet 110 feet	50 feet 122 feet
	Public Open Space (min)	0	2,500 sf (9%)
	Green Cover	35%	35% ⁴
	Minimum Setbacks	0	0

¹Not to exceed maximum density approved for this project.

²MPDU Density excluded from density calculation.

³Any residential density on Lot 1 will be in the form of amenity space and not dwelling units.

⁴To be Established at Site Plan in conformance with the Sector Plan goals for green cover.

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2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations increase:

1. **Parks and open spaces**, including new civic greens at Veteran's Park, Bethesda Farm Women's Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways.
2. **Affordable housing**, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.
3. **Environmental innovation**, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. **Economic competitiveness**, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is designated as site 45 on pages 111 and 113 of the Plan. Woodmont Triangle is an eclectic, mixed-use district that balances high-rise residential development with small-scale retail and arts amenities. This district serves as an office and retail center during the day, and as a restaurant district during the evenings and weekends. Woodmont Triangle is primarily a commercial area, containing both retail and office uses. Residential uses were once limited, but since the 2006 Woodmont Triangle Amendment, additional apartments and condominiums have been developed in the district.

The predominance of low buildings on small parcels in Woodmont Triangle creates a strong contrast with the higher density residential blocks that have recently developed in the district as well as in the Metro Core. Parking lots and decks, both public and private, occupy the limited number of otherwise vacant properties. The area has little open space and few visually distinctive buildings. Lack of distinguishing characteristics among the streets creates

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orientation problems for visitors. Despite its lack of visual quality, the district's diverse business activity, low-scale buildings and low-speed street pattern contribute to the area's appeal. Due in part to its angled roadway system that creates triangles within the Triangle, this district features oddly configured and dispersed retail spaces, and difficult accessibility and visibility from major roadways. However, these conditions have allowed a more diverse and local boutique retail environment to flourish.

This Sector Plan reaffirms the urban design approach outlined in the 2006 Woodmont Triangle Amendment and suggests further enhancements to Norfolk Avenue and a connection to Battery Lane Urban Park to activate Woodmont's urban spine. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and Woodmont Triangle District sections of the Plan:

- *Incentivize expanded affordability for housing.*

The new multi-family residential apartment building will include a minimum of 17.7 percent Moderately Priced Dwelling Units (MPDUs) (or up to 32 units). As a result, the Project provides additional, desired affordable housing in close proximity to transit and other services.

- *Improve connectivity throughout the neighborhood by providing through-block pedestrian connections enhancing walkability.*

The Project will provide a pedestrian connection through the site that will serve as the missing link between the Bethesda Trolley Trail, which provides a pedestrian/cyclist connection through Battery Lane Urban Park, and the through-block pedestrian connection between Auburn Avenue and Del Ray Avenue, adjacent to Imagination Stage. Additionally, the Project will provide significant streetscape improvements and will take an important first step toward implementing the Norfolk Avenue Shared Street.

- *Enhance Norfolk Avenue as the Main Street for the district, building on what works well and creates the unique character in Woodmont Triangle.*

The Property is located at the northern entrance to Norfolk Avenue. Given its prominent location, the Project has been designed to facilitate the low-density retail character envisioned for Norfolk Avenue. In addition to the primary building along Auburn Avenue, the Project proposes a two- to three-story retail or mixed-use building with retail and residential amenity space directly along the Property's Norfolk Avenue frontage. As a result, the residential dwelling unit component will be setback from Norfolk Avenue to maintain

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the desired low-density main street character. The two- to three-story retail or mixed-use building will create an appropriate transitional scale and mark the beginning of the Norfolk Avenue shared street. In addition, the Project proposes to provide the opportunity for a parklet along Norfolk Avenue to expand public space, activate the street and enhance the connection to Battery Lane Urban Park as outlined in the goals of the Woodmont Triangle District.

The Applicant must participate in the implementation of the Sector Plan recommended shared street improvements along their Norfolk Avenue frontage. The precise scope and manner of participation will be determined at the time of Site Plan. As part of creating a shared main street on Norfolk Avenue, the Applicant will close its existing Norfolk Avenue curb-cut and proposes improving that area as a temporary parklet, subject to MCDOT and MCDPS approval. This area is envisioned as an interim treatment for the streetscape that will offer moveable furnishings and other elements for passers-by. The final determination of the Applicant's participation in the Norfolk Avenue shared street, as recommended in the Sector Plan, will be determined at the time of Site Plan.

- *Preserve low density, pedestrian scale character along Norfolk Avenue.*

The proposed building will be located directly on the street and will both define and activate the pedestrian environment. The proposed design consolidates existing vehicular access points, from three existing curb cuts to one, and eliminates vehicular access to Norfolk Avenue. This design will promote a more pedestrian oriented streetscape experience. Parking and loading will be accommodated internally on site. Further, a mid-block connection provides public access through the site, which links Auburn Avenue pedestrians to Battery Lane Urban Park. Additionally, the proposed two-to three-story retail or mixed-use building on Norfolk Avenue will be consistent with both existing buildings on that street and future mixed-use building within the vicinity.

- *Increase environmental innovation, including more energy efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.*

The Project will result in significant improvements to the treatment of stormwater management on-site, as there are no known stormwater management facilities located on the Property. The Project is located within the Plan High Performance Area and will incorporate and meet the requirements in the Sector Plan and Bethesda Overlay Zone for exceeding

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current energy efficiency standards for buildings, comply with the requirements of the County's adoption of the 2015 International Green Construction Code (IGCC), and provide a through-block connection.

The Project is in general conformance with the 2017 *Bethesda Downtown Sector Plan*.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Subject Property is not subject to any development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Sector Plan identifies this area as a priority for mixed-use projects and as an area of transition from the higher density downtown Bethesda core to the surrounding lower density residential neighborhoods. The Project will provide a mix of uses on-site as well as a height and density that is compatible with the desired character of the Woodmont Triangle District.

Lot 1 contributes to the Site's compatibility with adjacent uses by providing a transition between the adjacent residential community and higher-density downtown by providing a commercial or mixed-use building of no more than 50 feet in height, along Norfolk Avenue, and a public open space that improves the connection between Battery Lane Urban Park/ Norfolk Avenue and the Imagination Stage.

Lot 2 contributes to the Site's compatibility with adjacent uses by providing a mixed-use building containing residential and commercial uses up to 122 feet in height along Auburn Avenue, and a through block connection that improves the Site's relationship with the surrounding public spaces.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access and loading for the Site will be provided from Auburn Avenue, via the new shared driveway/ mid-block pedestrian connection. Long-term bicycle parking will be provided within the garage and short-term bicycle parking will be provided along the

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Property's frontage, the final location of which will be determined at time of Site Plan.

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards. Additionally, the Project provides a mid-block pedestrian connection that will serve as the missing link between the Bethesda Trolley Trail, which provides a pedestrian/cyclist connection through Battery Lane Urban Park, and the through-block pedestrian connection between Auburn Avenue and Del Ray Avenue, adjacent to Imagination Stage. Final details of the through-block connection, including the safe integration of pedestrian and vehicular traffic, will be determined at the time of Site Plan.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

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Table 2: Public Benefits Summary		
Public Benefit	Incentive Density Points	
	Maximum Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	20	11.49
Through-block Connection	30	10
59.4.7.3D: Diversity of Uses and Activities		
Affordable Housing	n/a	37
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design	30	20
Structured Parking	20	20
Public Open Space	30	9.04
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLTs)	30	3.41
Cool Roof	15	5
Energy Conservation and Generation	25	15
Vegetated Wall	10	5
Total		135.94

Connectivity and Mobility

Minimum Parking: The Applicant requests 20 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum number of spaces on site. Based on the formula set forth in the Guidelines, the applicant is eligible for 11.49 public benefit points in this category. Final determination will be made at Site Plan and Staff supports use of this category.

Through-block Connection: The Applicant requests 10 points for providing a through-block connection between Norfolk Avenue and Auburn Avenue. This connection will link the Battery Lane Urban Park, to the north, and Imagination Stage, to the south. Points for this incentive are granted on criteria such as public access, minimum width, and minimum hours of operation, as determined by the Guidelines. Final determination will be made at Site Plan and Staff supports the Applicant's request.

Diversity of Uses and Activities

Affordable Housing: The Applicant requests 37 points for providing 17.7% Moderately Priced Dwelling Units. The final percentage and number of

affordable units will be determined at Site Plan. Staff supports the Applicant's request at this time.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 20 points for building or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design.

The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; provides a compact infill development on a problematic site; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Based on the conceptual materials submitted with the Application and because this category is a priority in the Sector Plan, staff supports the Applicant's request at this time and believes there may be potential to exceed the requested 20 points at the time of Site Plan.

The Design Advisory Panel recommended the following during their meeting on July 25, 2018:

1. Ensure the ground floor uses activate the through-block connection. Also, provide ground floor transparency on both sides of the building and the through-block connection.
2. Consider access and safety of the through-block connection. Create a node or focal point at the fence to draw people into the space such as public art or lighting. Create a pedestrian hierarchy because of the service access and vehicles. In the covered pedestrian passes, lighting is critical, including lighting during the day, to be welcoming.
3. Coordinate your side of the fence on the through-block connection for a continuous look and feel.
4. Show existing trees on your site plan.
5. Further develop the articulation on the Auburn Avenue façade. How this is detailed is critical as an alternative treatment to step-backs.
6. Consider more contemporary paving to relate to the contemporary design of the building

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7. **Public Benefit Points:** The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone. The panel is very supportive of the massing and direction of the design.
8. **Exceptional Design Points:** The design concept satisfies at least the minimum requirement of 10-points and will likely exceed 10 points at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for providing all parking within a below-grade parking structure. Staff supports this request at this time.

Public Open Space: As a Site with less than 1.00 acre and two public roadway frontages, the Project is not required to provide public open space. The Applicant, however, is proposing approximately 9% of the Site, or 2,500 square feet, as public open space and requests 9.04 points for so providing. Staff supports this request at this time.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 3.41 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the Applicant's request at this time.

Cool Roof: Roof areas not covered by green roof or mechanical equipment will incorporate a mixture of materials that will collectively meet or exceed a solar reflectance index (SRI) of 75. The Applicant is requesting 5 points and Staff supports this request at this time.

Energy Conservation and Generation: The Applicant is requesting 15 points for providing a building that exceeds applicable energy efficiency standards by 17.5%. Staff supports this request at this time.

Vegetated Wall: The Applicant is requesting 5 points for providing a vegetated wall on at least 30% of the 2-3 story commercial or mixed-use building on Lot 1. Staff supports this request at this time.

7. *The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Project will be built in one phase.

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BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the *Sector Plan*, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

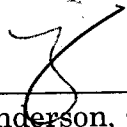
BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Sketch Plan No. 320180170, "4915 Auburn Avenue," received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 13 2018 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, November 29, 2018, in Silver Spring, Maryland.



 Casey Anderson, Chair
 Montgomery County Planning Board

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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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DEC 13 2018

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on May 7, 2018, Auburn Building Associates, LP ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create Two (2) lots on 0.72 acres of land in the CR 3.0 C 3.0 R 2.75 H110 zone, located on Auburn Avenue, west of Norfolk Avenue ("Subject Property") in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and


WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120180210, "4915 Auburn Avenue" ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board Staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 16, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on November 29, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing the Planning Board voted to approve the Application, subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120180210 to create two (2) lots on the Subject

Approved as to
Legal Sufficiency: 
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Property, subject to the following conditions:¹

1. Approval is limited to two lots for up to 204,728 total square feet of development for up to 180 dwelling units, including up to 29,728 square feet of MPDU density not counted toward the Project's FAR, and up to 12,500 total square feet of retail development and an allocation of up to 80,008 square feet of density from the Bethesda Overlay Zone. The project density will be divided between the two proposed lots as follows but will not exceed 204,728 square feet of total development density, as described above:
 - a. Lot 1: Up to 4,000 square feet of retail development and up to 4,000 square feet of residential amenity space; and
 - b. Lot 2: Up to 192,228 square feet of residential development (up to 180 dwelling units), including 29,728 square feet of MPDUs, and up to 10,500 square feet of retail development.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320180170 and any subsequent amendments.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated June 26, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
4. The Planning Board accepts the recommendations of MCDPS – Water Resources Section in its stormwater management concept letter dated October 8, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated October 10, 2018, and as amended via e-mail dated October 30, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

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comply with each of the recommendations as set forth in the letter, as amended, which may be further amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

6. The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated August 24, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements associated with each plat, as required by MCDOT.
8. The Applicant must dedicate and show on the record plat(s) a dedication of the Auburn Avenue frontage necessary to provide the Sector Plan-recommended 30-foot-wide right-of-way between the Subject Property line and right-of-way centerline.
9. Short-term public bicycle parking must be installed near the main entrances. Secure long-term private bicycle parking must be installed within the residential building. The exact number and location of bicycle parking will be determined at the time of Site Plan.
10. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
11. The record plat must show necessary easements.
12. Lot 1 and Lot 2 must be platted together; neither lot may proceed to above ground building permit (excluding foundation only permits) or site plan independently.

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13. Include all applicable agency letters and the Preliminary Plan resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
14. Before the release of any above-grade building permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.
15. If a subsequent site plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or location or right-of-way width or alignment, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.
16. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations, including the technical review standards in Section 50.4.3. The Application meets all applicable requirements. The size, width, shape and orientation of the proposed lot is appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and the type of development or use contemplated. As discussed in the Sketch Plan findings, the Application substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Application complies with the land use recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. This Preliminary Plan creates two lots that will accommodate a mixed-use building on Auburn Avenue and commercial building on Norfolk Avenue. Transportation

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Water and sewer and other utilities are available to and currently serve the Property. The Application meets the Environmental Guidelines and Forest Conservation Law.

The lot was reviewed for compliance with the dimensional requirements for the CR 3.0 C 3.0 R 2.75 H110 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

As discussed in the concurrently filed Sketch Plan No. 320180170, the Preliminary Plan substantially conforms with the recommendations of the Sector Plan.

a. Land Use

As discussed in the Sketch Plan section of this report, the Project will provide up to 180 residential units, including 17.7% MPDUs (a minimum of 32 dwelling units) on-site.

b. Environment

As conditioned, the application meets the Sector Plan recommendations, the Environmental Guidelines and Forest Conservation Law.

c. Transportation

The Application is consistent with the above recommendations. The 2017 *Bethesda Downtown Sector Plan* recommends the following along property frontages:

- i. Auburn Avenue, along the southern site frontage, as a business district roadway with a minimum right-of-way width of 60 feet;
- ii. Norfolk Avenue, along the eastern site frontage, as a business district roadway with a minimum right-of-way width of 80 feet and bicycle lanes (BL-44);

d. Sector-Planned Transportation Demand Management

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55%, averaged between employees and residents of downtown Bethesda. In order to meet this goal, downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single-occupancy vehicles. As a residential project of more than 100 dwelling units within the Bethesda TMD, the developer is required to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board

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and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

Vehicular access to the Site will be consolidated by the proposed Application and reduced from three existing driveways to one driveway. Both garage and loading access will be accommodated via the shared driveway on Auburn Avenue. The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.6 miles from the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

ii. *Proposed public transportation infrastructure*

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards.

e. Local Area Transportation Review (LATR)

Adequate Public Facilities

A transportation statement, dated April 17, 2018, was submitted with the Project, indicating that the proposed development will generate 21 net new morning peak-hour person trips and 30 net new evening peak-hour person trips. Because the estimated transportation impact of the Project is less than 50 net new person trips, the Project satisfies the Local Area Transportation Review requirement without further analysis.

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Table 3: Project Peak Hour Trip Generation

Total Proposed		Vehicle Rates		Policy Area Vehicle Trips		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Existing Use (Credit)							
	28,000 SF Office	53	34	34	22	71	46
	6,250 SF Retail	6	24	4	15	9	34
	Total Existing	59	58	38	37	80	80
Proposed Use¹							
	180 High Rise Dwelling Units	64	70	51	56	101	110
Total Net New Trips		5	12	13	19	21	30

Source: Wells & Associates Transportation Statement, dated April 17, 2018.

¹ Proposed retail is less than 15,000 square feet, less than 10% of project, and no retail parking provided and is therefore considered ancillary for trip generation purposes.

f. Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. The application has been reviewed by MCFRS, and emergency vehicle access has been deemed adequate. Electrical and telecommunications services are also available to serve the subject property. Local health clinics, police stations and fire stations are all operating within acceptable levels as established by the Subdivision Staging Policy.

School Adequacy

The Project was reviewed under the FY2019 Annual School Test, approved by the Planning Board on June 21, 2018, and effective July 1, 2018. Under the FY2019 Annual School Test, student generation is calculated by multiplying the number of dwelling units by the applicable regional student generation rate for each school level. For the purposes of this calculation, dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit (Table 4). The Subject Property is proposed to be redeveloped as a high-rise multifamily project and is located in the Bethesda-Chevy Chase High School (B-CC) Cluster and the southwest region of the County.

Based on this analysis, the Project is estimated to generate nine new elementary school students, three new middle school students, and five new

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high school students (Table 5). Staff finds that sufficient school capacity exists at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by the Project.

Table 4: Student Generation Rates Per Dwelling Unit – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

Table 5: 4915 Auburn Avenue Student Generation

Unit Type	Net New Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
MF High-rise	180	0.055	9.900	0.022	3.960	0.031	5.580
TOTAL	235		9		3		5

Cluster Adequacy Test

Student enrollment and capacity projections for the Bethesda-Chevy Chase High School (B-CC) Cluster, as established in the FY2019 Annual School Test, are summarized in Table 6. As indicated in the last column of the table, the sum of the projected future enrollment and the estimated student impact associated with the Subject Application fall below the moratorium² thresholds at all three school levels. As a result, staff finds that sufficient capacity exists at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

*Table 6: FY2019 Annual School Test
Bethesda Chevy Chase High School Cluster*

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,690	4,043 ³	91.3%	4,852	3,699
Middle	1,803	2,024	89.1%	2,429	1,806
High	2,463	2,407	102.3%	2,889	2,468

² The moratorium enrollment threshold represents 120% enrollment utilization.

³ The projected cluster elementary school capacity of 3,813 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY 2019 Capital Budget.

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Individual School Adequacy Test

The applicable elementary and middle schools for this project are Bethesda Elementary School and Westland Middle School, respectively. Based on the FY2019 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7.

*Table 7: FY2019 Annual School Test
Individual School Adequacy*

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus / Deficit	120% Utilization	Surplus/ Deficit	
Bethesda ES	699	698 ⁴	100.1%	-1	838	808	708
Westland MS	832	1,089	76.4%	257	1,307	1,269	835

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds both thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds, identified in Table 7, are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. As indicated in the last column, the projected enrollment plus the estimated impact of this application falls below both applicable moratorium thresholds for Bethesda Elementary School and Westland Middle School. Therefore, staff finds sufficient anticipated school capacity to accommodate the estimated number of students generated by the Project.

School Capacity Analysis Conclusion

Based on the FY2019 Annual School Tests at the cluster and individual school level, staff finds adequate school capacity to support the proposed development.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

⁴ The projected Bethesda Elementary School capacity of 560 students has been modified to reflect the impact of a six-classroom placeholder project included by the County Council in the FY 2019-2024 Capital Improvements Program.

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This Application is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen tree or champion tree, and reforestation requirements would not exceed 10,000 square feet. There are two specimen trees, located immediately adjacent to the Subject Property, that will be removed or impacted by the Application; therefore, a tree save plan is required.

The subject property, including the areas of the drainpipe, is generally paved and it is possible that the roots of the adjacent trees have avoided the paved areas and would therefore not be overly impacted by the work. However, it is also possible that anchoring roots of nearby trees are in fact located within the subject property, underneath the existing paving, and the proposed work would necessitate removal of some of the trees. The actual location of the roots and the extent of the impacts can only be determined at the time of construction. Therefore, Staff recommends that the tree save plan be revised at the time of Site Plan to include a provision for an ISA certified arborist who is also a MD licensed tree care expert along and within the storm sewer easement.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

The MCDPS Stormwater Management Section approved the stormwater management concept on October 8, 2018. Per the approval letter, the stormwater management concept meets stormwater management requirements through the use of environmentally-sensitive design to the maximum extent practicable (ESD to the MEP) via the use of green roof, micro-bioretenion, and a partial waiver on Lot 1 and green roof and micro-bioretenion on Lot 2.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G, and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 13 2018 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of


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this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, November 29, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

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Filipa Powell
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Washington DC, 20007

120180210 & 320180170- 4915 Auburn Ave

Bethesda Downtown Design Advisory Panel

FROM: Laura Shipman
Design Advisory Panel Liaison

PROJECT: 4915 Auburn Avenue
Site Plan No. TBD

DATE: April 24, 2019

*The **4915 Auburn Avenue** project was reviewed by the Bethesda Downtown Design Advisory Panel on **April 24, 2019**. The following meeting notes summarize the Panel's discussion, and recommendations regarding design excellence and the exceptional design public benefits points. The Panel's recommendations should be incorporated into the Staff Report and strongly considered by Staff prior to the certification of the Site Plan. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

Attendance:

Karl Du Puy (Panelist)
George Dove (Panelist)
Damon Orobona (Panelist)
Rod Henderer (Panelist)
Qiaojue Yu (Panelist)
Paul Mortensen (Panelist, Senior Urban Designer in the Director's Office)

Laura Shipman (Design Advisory Panel Liaison)
Robert Kronenberg (Area 1 Division Chief)
Matt Folden (Lead Reviewer)
Kendra Hyson (Director's Office)
Hyojung Garland (Parks Department)
Rachel Newhouse (Parks Department)

Robert Sponseller (Applicant Team)
Jeff Paralle (Applicant Team)
Brian Gelfan (Applicant Team)
Stacy Silber (Applicant Team)
Filipa Powell (Applicant Team)
Liz Rogers (Applicant Team)
Charles Conslip (Applicant Team)



Amanda Farber (Member of the Public)
 Aldon Thomas (Member of the Public)
 Paige Nerenberg (Member of the Public)

Discussion Points:

- How do you get to the upper floors of the Norfolk piece?
 - *Applicant Response: it might be an elevator or stair to the mezzanine level.*
- Very nice project. I particularly like the triangular piece.
- What is the building you're wrapping around on Norfolk?
 - *Applicant Response: 2-story retail.*
- Fantastic job.
- Staff: Is the back landscape portion open to the public? It is a great added feature to add to the connection to the trail.
 - *Applicant Response: Yes, it is part of the project's public open space to connect to Battery Lane.*
- I do have one concern with a through-block connection with a relatively low ceiling. We are fortunate that the lighting has improved. Sometimes something in that space could create something exciting. Right now, it is a flat ceiling and floor and the focal point is a hundred feet away. Could the ceiling and lighting design help animate the space? The ones that are most successful create a secondary level of interest.
 - *Applicant response: you walk around cities and there are beautiful covered areas and in between spaces and they are simple. The retail on both sides can help to animate it. With the windows and light coming from both sides it will help.*
 - *Staff: in NOMA there is a beautiful lighting treatment under the train tracks.*
- I like the landscape treatment, there are a lot of amenities. Try to take a big picture cohesive view in addition to the details.
- Is there a plan for how long the project will be open, will it be 24/7?
 - *Applicant response: This is an important concern of the owner and they will be paying a lot of attention to safety moving through the passageway.*
- You have done a good job of distinguishing the zones for pedestrians and bicycles vs vehicular traffic.
 - *Applicant response: Most of the time the traffic will be so low that these spaces will also be shared.*
- I like that this access from Norfolk is totally open and its very clear that there is a public connection.



Panel Recommendations:

The following recommendations should be incorporated into the Staff Report.

1. Consider additional treatment to the ceiling of the covered through-block connection such as lighting to make the space more inviting and exciting.
2. Ensure that the landscape treatment is cohesive.
3. Public Benefit Points: The applicant requests 20 Exceptional Design Points; however, the panel recommends 30 Exceptional Design Points.
4. vote: **5** in support



Folden, Matthew

From: Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>
Sent: Monday, August 26, 2019 3:57 PM
To: Silber, Stacy P.; Folden, Matthew
Cc: Folden, Matthew; Thomas, John B.; Dickel, Stephanie; Hisel-McCoy, Elza; Joshua Sloan (sloan@vika.com); Charles Crislip
Subject: RE: Auburn Avenue: Site Plan No. 820190100; 120180210A

Hi Stacy,

We reviewed your request for the condition to place the money in escrow, give it back after 5 years and potentially constructing a portion of the street. We have never placed money in escrow for a payment; therefore, we will not accept payment into escrow. We believe that this will set a precedent for future projects. In addition, I'm not sure how you would be meeting the master plan if the money were given back. We are also will not recommend having you construct a portion of the shared street. It's too complicated regarding actually construction and maintenance of it. Therefore, we recommend you contribute the money at \$55,208. The money will be placed in the Bethesda Streetscape improvement CIP. We are expecting to start facility planning in fiscal year 2022 or earlier. Below is our condition that we recommend:

1. Norfolk Avenue Shared Street Implementation

The Applicant must participate in the implementation of the Norfolk Avenue shared street project by contributing \$55,208 to the Montgomery County Department of Transportation (MCDOT) for future implementation prior to issuance of the first above grade building permit.

We believe that this condition will satisfy the Master plan intent.

Please let me know if you have any questions.

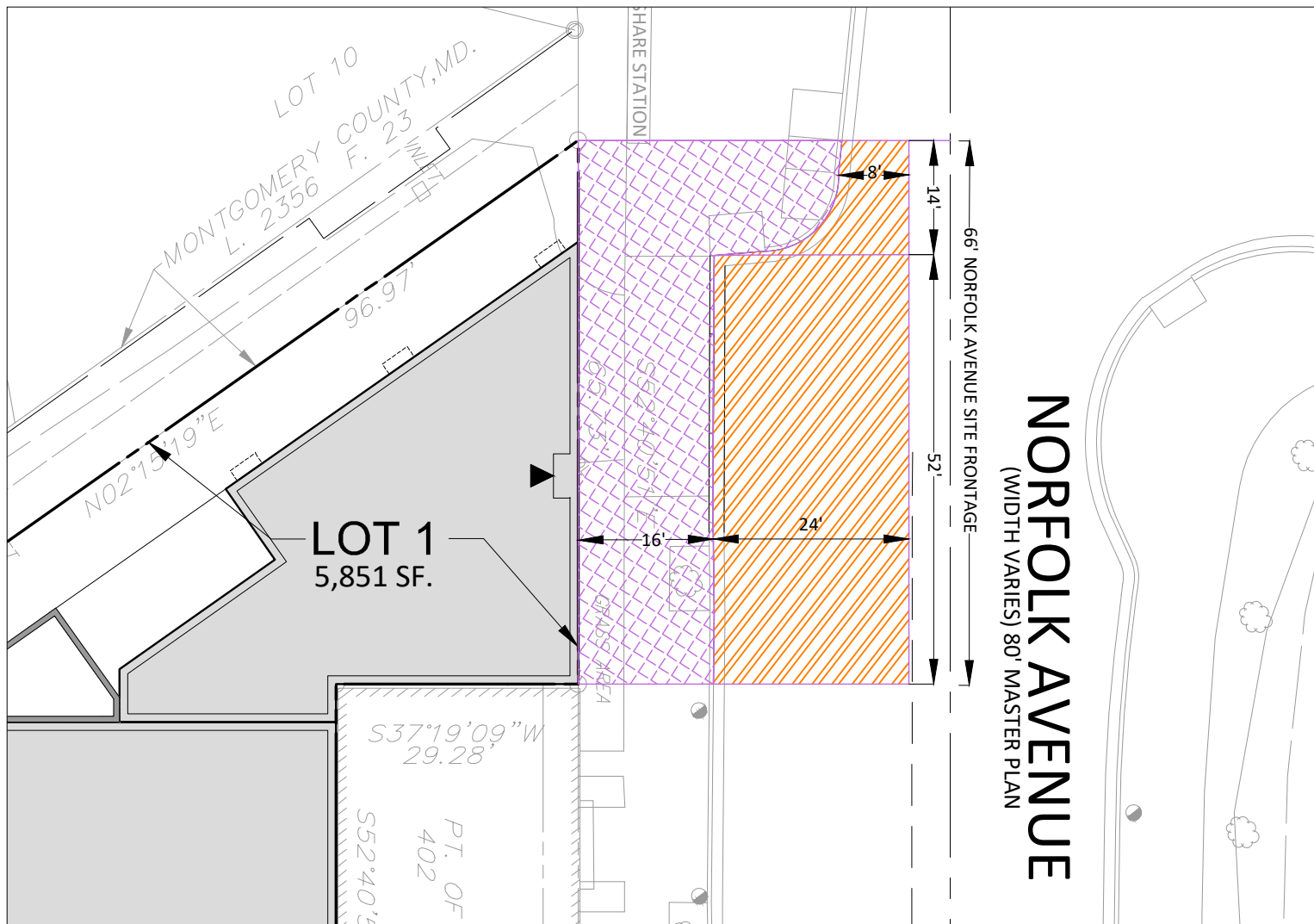
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 Director's Office | Department of Transportation
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 (240) 777-2118 (direct)
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Rebecca.torma@montgomerycountymd.gov

From: Silber, Stacy P. <spsilber@lercheearly.com>
Sent: Tuesday, August 13, 2019 3:30 PM
To: Folden, Matthew <matthew.folden@montgomeryplanning.org>
Cc: Folden, Matthew <matthew.folden@montgomeryplanning.org>; Thomas, John B. <John.Thomas@montgomerycountymd.gov>; Torma, Rebecca <Rebecca.Torma-Kim@montgomerycountymd.gov>; Dickel, Stephanie <Stephanie.Dickel@montgomeryplanning.org>; Hisel-McCoy, Elza <elza.hisel-mccoy@montgomeryplanning.org>; Joshua Sloan (sloan@vika.com) <sloan@vika.com>; Charles Crislip <crislip@vika.com>
Subject: Auburn Avenue: Site Plan No. 820190100; 120180210A

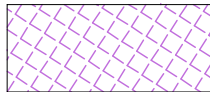
Norfolk Avenue Shared Street Cost Estimate

Quantity	Unit	Description	Unit Cost	Subtotals
66	LF	Remove existing curb and gutter	\$ 12.00	\$ 792.00
151	SY	4" Pavement Removal	\$ 5.00	\$ 755.56
151	SY	8" Primary Paving	\$ 19.00	\$ 2,871.11
151	SY	4" concrete sidewalk	\$ 23.00	\$ 3,475.56
1	EA	Modify Existing Curb inlet to grate inlet	\$ 4,000.00	\$ 4,000.00
1360	SF	Brick Pavers	\$ 10.00	\$ 13,600.00
1	LS	Traffic Control	\$ 7,500.00	\$ 7,500.00
1	LS	Survey	\$ 1,000.00	\$ 1,000.00
1360	SF	Asphalt setting bed and tack coat with asphalt adhesive	\$ 4.00	\$ 5,440.00

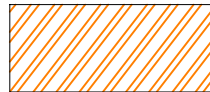
Construction Activity Costs (CAC) Total:	\$ 39,434.22
Bond	
Bond Subtotal (CAC + 5% Contingency)	\$ 41,405.93
Total Bond Requirements (Round Up):	\$ 41,500.00
Permit Fee	
Permit Fee Subtotal (Total Bond x 14.650%):	\$ 6,079.75
EFSF (Permit Fee Subtotal x 3%):	\$ 182.39
Total Permit Fee:	\$ 6,262.14
Total Sum:	\$ 54,024.29
40% MCDOT Contingency (CAC x 40%)	\$ 55,207.91



LEGEND



Norfolk Avenue streetscape to
be constructed by applicant



Area of applicant site frontage to determine
fee contribution for future Norfolk Avenue
share street

4915 Auburn Avenue:
Norfolk Avenue Shared-Street
Streetscape Improvement Cost Estimate



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

August 16, 2019

Mr. Logan Kelso, PE
VIKA Maryland LLC
20251 century Boulevard, Suite 400
Germantown, MD 20874

Re: **Revision** to Stormwater management concept
for Auburn Avenue to include **SITE
DEVELOPMENT PLAN** approval
4915 and 4921 Auburn Avenue
PP#: 120180210
SP# 82019100
SM File #: 283876
Tract Size: 0.64 ac/27909 sq.ft.
Total Concept Area: 0.64 ac/27909 sq.ft.
Zone: CR-3.0, C-3.0, R27.5, H110
Legal Description: Part of Lots 409, 410 and 411
and Lots 624 and 625/Woodmont: to be
subdivided into 2 lots
Watershed: Rock Creek Watershed

Dear Mr. Kelso:

Based on a review by the Department of Permitting Services Review Staff, the revision to the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals of Environmental Site Design to the Maximum Extent Practicable in green roof, micro-bioretenction and a partial waiver for proposed Lot 1 and in green roof and micro-bioretenction for proposed Lot 2.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.



255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

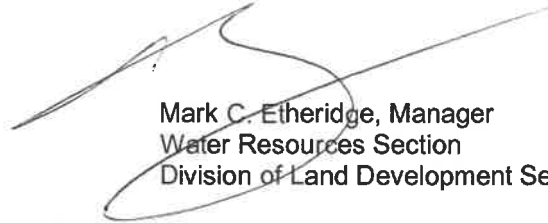
Mr. Logan Kelso, PE
August 16, 2019
Page 2 of 2

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6202 or at mary.fertig@montgomerycountymd.gov.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: CN 284850

cc: N. Braunstein
SM File # 283876

Proposed Lot 1
ESD: Required/Provided 876 cf / 368 cf
PE: Target/Achieved: 1.92"/0.81"
STRUCTURAL: N/A cf
WAIVED: partial

Proposed Lot 2
ESD: Required/Provided 3492 cf / 3548 cf
PE: Target/Achieved: 2.03"/2.06"
STRUCTURAL: N/A
WAIVED: N/A



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

August 6, 2019

Mr. Matthew Folden
Area 1 Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: 4915 Auburn Avenue
Site Plan No. 820190100

Dear Mr. Folden:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval, with the following comment:

- DHCA will need to review more detailed schematic floor plans at certified site plan. The MPDUs must meet DHCA's Minimum Specifications.

Sincerely,

Lisa S. Schwartz, Manager
Affordable Housing Programs Section

cc: Charles Crislip, VIKA Maryland, LLC

S:\Files\recurring\Housing\MPDU\Developments\4915 Auburn Avenue\4915 Auburn Avenue DHCA Letter_8-6-2019.docx

Division of Housing

Affordable Housing Common Ownership Communities Landlord-Tenant Affairs Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca

DPS-ROW CONDITIONS OF APPROVAL**July 19, 2019****820190100 4915 Auburn Ave**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-SITE-820190100-SP3.pdf V4” uploaded on/ dated **“6/26/2019”** and
“08-LL-820190100-LP-1.00.pdf V3” uploaded on/ dated **“6/26/2019”** and

The followings need to be addressed prior to the certification of site plan:

1. Access points on public roads:
 - a. Ensure safe truck turning movement for all (especially right turn) movements.
 - b. Provide an updated sight distance analysis for the proposed access point.
2. Need Bethesda Streetscaping along the site frontage and provide a note accordingly. Any deviation should be clearly specified for our review and approval.
3. Provide public sidewalk:
 - a. when outdoor seating café is proposed, minimum 6’ clear sidewalk is needed. If none is proposed, provide a note accordingly.
 - b. Show the existing sidewalks and how they connect to the frontage sidewalk.
4. Chokers need to meet DPS criteria.
5. Along Norfolk Ave, where the existing driveway is removed another minor species street tree should be planted.

And, the followings need to be conditions of the certified site plan:

1. Please address MCDOT approval letter for the preliminary plan 120180210 dated October 10, 2018 Condition 6 under significant plan review comments: Norfolk Ave shared street improvements; estimated costs are: \$387,600 for the short-term bike lanes, and \$4,454,100 for the long-term shared street, both along a length of 1800’.
2. Along Auburn Ave, where the proposed curb line shifts back to existing, ensure that the signing/markings plans show a smooth transition in the pavement markings between the ultimate section & the existing section.
3. MCDOT- Commuter Services Section comment: prior to the issuance of any building permits by MCDPS, the applicant must execute a Traffic Mitigation Agreement with MCDOT and M-NCPPC.



Department of Permitting Services
Fire Department Access and Water Supply Comments

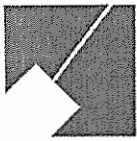
DATE: 26-Jun-18
TO: Ghassan Kouri - khouri@vika.com
VIKA, Inc
FROM: Marie LaBaw
RE: 4915 Auburn Avenue
120180210 320180170

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **26-Jun-18** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** See Statement of Performance Based Design *****

***** 8/13/2019 Amendment: subdividing approved lot and single building into two lots/two buildings *****



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 6, 2018

Auburn Buildings Associates, LP
c/o Brian Gelfand
4915 Auburn Avenue Suite 200
Bethesda, MD 20814

Re: Forest Conservation Exemption Request and Simplified NRI/FSD No. 42018146E
Property Name: Parts of Lot 409, 410 and 411, Lot 624 and Lot 625 Woodmont
Action Taken: Exemption Confirmed & Simplified NRI/FSD Approved on 3/6/18

Dear Brian Gelfand:

On March 5, 2018, Montgomery County Planning Department Staff received a revised Simplified Natural Resource Inventory / Forest Stand Delineation "Simplified NRI/FSD" and Exemption Request for Parts of Lot 409, 410, and 411, Lot 624 and Lot 625 Woodmont. The Simplified NRI/FSD is part of a Chapter 22A-5(s)(2) Exemption Request for an activity on a small property also known as 4915 and 4921 Auburn Avenue. The Simplified NRI/FSD and Exemption Request shows the existing features and the proposed limits of disturbance (LOD). A Sketch Plan and Preliminary Plan are being filed in conjunction with this forest conservation exemption request.

A Chapter 22A-5(s)(2) Exemption Request, is for an activity on a tract of land of less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet.

The tract area and proposed limits of disturbance is approximately 0.64 acres in size. This activity does not trigger afforestation requirements. No forest or champion trees exist within the tract area. Significant roots of a specimen catalpa tree (tree number 112) and specimen walnut tree (tree number 124) exist within the tract area. As proposed, the development activity would severely affect the health of offsite, neighbor-owned trees. Tree No. 124 and Tree No. 125 would not survive the proposed root pruning shown to be done at the property line.

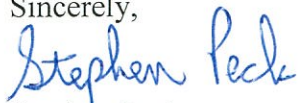
As significant roots of specimen trees exist within the tract area and there is to be construction impact to these roots, confirmation of the forest conservation exemption request requires approval of a Tree Save Plan. The Tree Save Plan is to be submitted for review and approval with the Preliminary Plan of Subdivision. The Tree Save Plan requires tree preservation and possibly mitigation for the loss of individual trees.

Forest Conservation Exemption Request No. 42018146E for Parts of Lot 409, 410 and 411 Woodmont and Lot 624 and Lot 625 Woodmont is confirmed with the condition that a Tree Save Plan be submitted for review and approval along with the Preliminary Plan of Subdivision.

The Simplified NRI/FSD submitted on March 5, 2018 for the project is approved with the condition that a Tree Save Plan be submitted for review and approval along with the Preliminary Plan of Subdivision.

Any additional changes from the confirmed Forest Conservation Exemption Request and approved Simplified NRI/FSD may constitute grounds to rescind or amend any approval actions taken.

Sincerely,



Stephen Peck

Senior Planner

Development Applications and Regulatory Coordination

M-NCPPC - Montgomery County Planning Department

CC: Doug Koeser, VIKA Maryland, LLC